

REMARKS

In view of the foregoing amendments and the following remarks, reconsideration and allowance are requested.

Claims 84-93 stand rejected under 35 USC 101, and under 35 USC 112(2), for the reasons set forth at pages 2 and 3 of the office action. Without conceding the propriety of these rejections, and solely to expedite allowance of the application, claims 84-93 have been amended as required by the Examiner to recite --An article comprising software embodied in a computer-readable medium ...-- Withdrawal of this rejection is requested.

Claims 20-69, 71-79, 81-82 and 84-106 stand rejected under the doctrine of obviousness-type double patenting in view of claims 1-35 of U.S. Patent 6,162,123. Without conceding the propriety of this rejection, and solely to expedite allowance of the application, a terminal disclaimer is being filed herewith as required by the Examiner.


The foregoing comments with respect to positions taken by the Examiner cannot be construed as acquiescence by the applicant with other positions of the Examiner that have not been explicitly contested. Similarly, the foregoing arguments for patentability of a claim cannot be construed as implying that there are not other good reasons for patentability of that claim or other claims.

Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: \_\_\_\_\_

12/29/03

  
\_\_\_\_\_  
John C. Phillips  
Reg. No. 35,322